

REMARKS

Applicant hereby elects the Invention of Group I which includes claim 2 and is drawn to a trimmer. Claims 1 and 2 are readable on this Group. Claim 1 is also a linking claim which links the inventions of Groups I - VII.

With this Amendment Applicant has added new claims 14 - 18 which depend from claim 2. Claims 14 - 18 are also part of the invention of Group I.

Applicant respectfully requests reconsideration of the Restriction Requirement. The rejection states that the inventions are distinct because Groups I - VII are related as subcombinations disclosed as usable together in a single combination, and that the subcombinations are distinct from each other if they are shown to be separately usable. The rejection then indicates how only one of the sub-combination groups are separately usable from the other subcombination group.

The rejection also refers to MPEP § 806.05(d). Applicant has reviewed this portion of the MPEP and finds that the subcombinations must have utility other than in the disclosed combination. It appears that the Office Action does not indicate that one of the subcombinations has utility other than in the "disclosed combination". If the disclosed combination is considered to be the combination of claim 1, then showing that one subcombination can be used without the features of another subcombination, does not fulfill this requirement.

If the "disclosed combination" is considered to be the one subcombination, then indicating that one subcombination can be used without one of the other subcombinations, also

does not meet this requirement.

Applicant's review of MPEP § 806.05(d) does not appear to indicate that the disclosed combination is a different one of the subcombinations. Therefore the reasoning provided in the Office Action does not support the Restriction Requirement under MPEP § 806.05(d).

With this response, Applicant is submitting an Information Disclosure Statement for references cited in a corresponding European Patent Application. Applicant is also enclosing a copy of the European Search Report for the European Patent Application EP 02 00 0939. Applicant notes that only four prior art references were identified by the European Patent Office and they only represent the technological background of the invention. The European Patent Application was also granted without any amending of the claims and without indication of the application having multiple inventions. Applicant notes that the publication number for the corresponding European Patent Application is EP 1225015.

If the Examiner has any comments or suggestions which would further favorable prosecution of this application, the Examiner is invited to contact Applicant's representative by telephone to discuss possible changes.

At this time Applicant respectfully request reconsideration of this application. Favorable action on the merits of the application is respectfully requested.

Respectfully submitted
for Applicant,

By:


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Enclosed: Petition for Two Month Extension of Time
Information Disclosure Statement
Request to Charge Deposit Account

DATED: July 17, 2003
SCARBOROUGH STATION
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SHOULD ANY OTHER FEE BE REQUIRED, THE PATENT AND TRADEMARK OFFICE
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